



MAY 22 2009

REQUEST FOR CONTINUED EXAMINATION (RCE)

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: ~~40/562,770~~ 10/580,796
Filing Date: May 5, 2006
First Named Inventor: Scott Lindsay Brown
Group Art Unit: 3781
Examiner Name: Christopher B. McKinley
Attorney Docket Number: 0002637USU/4127
CUSTOMER NO.: 27,623

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. Previously submitted

- i. Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on _____ (any unentered amendment(s) referred to above will be entered).
- ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed filed on _____
- iii. Other _____

b. XXXXX Enclosed

- i. XXXXX Amendment with transmittal
- ii. Affidavit(s)/Declaration(s)
- iii. Information Disclosure Statement (IDS) and PTO-1449
- iv. Other _____

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)
- b. Other _____

3. Fees The RCE fee Under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

- a. XXXXX The Commissioner is hereby authorized to charge any deficiency in fees, or credit any overpayments to Deposit Account No. **01-0467**.
 - i. XXXXX RCE fee (\$810.00) required under 37 C.F.R. §1.17(e)
 - ii. Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. Other _____
- b. XXXXX Check in the amount of \$810.00 is enclosed
- c. Payment by credit card (Form PTO-2038 enclosed)

May 18, 2009

Date of Signature

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